

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office
FLOOR DEBATE

March 3, 2005

LB 53

year for 19 years. He's a very meek and mild gentleman, and he carries around some literature asking us to strengthen our laws on drunk driving, because 19 years ago he lost his wife in a drunk driving accident. And the drunk driver served a little bit of time, apparently, and has been out, and has committed the same crime again and again, served some more time. No reparation, no remorse, no change in his lifestyle. My difficulty with this bill is, it treats all felons the same. Serve your time; two years later, automatic restoration of voting rights. I'm not comfortable with that. In some cases, a first offender of a nonviolent offense, perhaps it would be warranted to restore their voting rights quickly, bring them back into society and let them get on with their lives, and let all of us move on. But this one-size-fits-all policy doesn't bode well with me. And I'm going to vote red on the bill. Appreciate your time. I'll leave the motion up there a little longer, see if anybody wants to speak. And we'll let this go a while, then I'll pull the motion. Thank you, Mr. President.

SENATOR CUDABACK: Thank you, Senator Foley. You've heard the opening on the motion to bracket. For discussion on that motion, Senator Schimek.

SENATOR SCHIMEK: Yes. Thank you, Mr. President and members of the body. And thank you, Senator Foley, for the advance warning this morning. I appreciate that. And I also understand your point of view. Actually, I think Larry Wagner is probably still a constituent of mine. And I...there...you're right, there's never been a year. And I understand his pain and his wish to prevent anything like that from happening to anybody else again. The problem I have with the approach that you're suggesting is that it makes us the judge and jury. And I don't believe that's our role. I believe it is very, very difficult for our judicial system to equitably and evenly dispense justice in the state, as hard as they try. Different local subdivisions have different resources available to them. And so not everybody is treated the same way. Not everybody gets to plea bargain; others do. I don't want to get into the business of doing that. And I think that without a doubt, I think the public, once they understand what we're trying to do here today, is fully supportive. I think a two-year waiting period is a sufficient amount of time